

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A
JUDGE NO. 98-198

Supreme Court Case No. 01-1424

RESPONSE TO AMENDED NOTICE OF FORMAL CHARGES

COMES NOW the Honorable Scott A. Kenney by and through the undersigned lawfirm of LYTAL, REITER, CLARK, FOUNTAIN & WILLIAMS, L.L.P. and files his Response to the Amended Notice of Formal Charges filed on about July 12, 2001.

COUNT I

1. The Respondent admits that he is elected Circuit Court Judge in and for the 19th Judicial Circuit and has served in such capacity since July 1, 1986.
2. The Respondent admits that on occasion he socialized after working hours with personnel involved in the legal system, but never imbibed to an excess.
3. The Respondent denies he was ever under the influence of alcohol in the “courthouse” and further denies that he behaved so that a litigant could conclude he was intoxicated or that counsel would have found his demeanor unusual.

4. The allegation contained in paragraph Two of Count I as having the odor of alcohol on his breath while conducting his judicial duties is denied.

COUNT II

5. The Respondent files the same response as contained in Count I and adopts the same responses.
6. Respondent admits the allegations that he underwent counseling and had met with a member of the Commission and it's counsel.

However, the Respondent denies all other allegations contained in Paragraph Four of Count II, and more particularly that there was the odor of alcohol on his breath while performing his judicial duties.

WHEREFORE, it is requested that this Commission conduct all proceedings involving the matter in reference to Judge Kenney in the 19th Judicial Circuit, more particularly, Ft. Pierce, Florida.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was mailed and sent via facsimile to Thomas C. MacDonald, Jr., Esquire, General Counsel for the Florida Judicial Qualifications Commission, 100 N. Tampa Street, #2100, Tampa, FL and John R. Lawson, Jr., Esquire, Special Counsel for the Florida Judicial

Qualifications Commission, P. O. Box 1100, Tampa, FL 33601, this ____ day of
July, 2001.

Joe
Reiter, of
Lytal, Reiter, Clark, Fountain & Williams,
LLP
515 N. Flagler Drive, Suite 1000
Post Office Box 4056
West Palm Beach, FL 33402-4056
(561)655-1990
(561)832-2932 (facsimile)
Attorneys for Respondent
Florida Bar No.108913